



NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In application of: Boehler et al.

Serial No.: 10/038,167

For: "DIAGNOSTIC DEVICE WITH MOUSE-CONTROLLED SWITCHING AMONG DISPLAY CONTROL FUNCTIONS"

Filed: October 23, 2001

Group Art Unit: 2173 Confirmation No. 7809 Examiner: Cuong T.Thai

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 24, 2005 of the Examiner finally rejecting claims 1-5 and 7-9.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was obtained on for
2. An extension of time to respond to the rejection dated March 24, 2005 for one (1) month so that the period is extended from June 24, 2005 to July 24, 2005 is hereby requested under 37 CFR 1.136.
3. Appeal fee amount: \$250.00 \$500.00 Extension of Time Fee \$120.00
 - a. Enclosed
 - b. Charge to Deposit Account No. 501519 (One additional copy of this Notice enclosed herewith).

Any deficiency or overpayment should be charged or credited to Deposit Account No. 501519. A duplicate copy of this sheet is enclosed.

07/19/2005 SFELEKE1 00000030 10038167

Signature (37 CFR 1.191(b)) Steven H. Noll (Reg. No. 28,982)

01 EC:1401
02 EC:1251

500.00 OP
120.00 OP

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 15, 2005.

Steven H. Noll

Name of Applicant's Attorney

Steven H. Noll

Signature

July 15, 2005

Date